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10 *Attorneys for Defendant*

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 MEDHAT IBRAHIM, an individual,

Case No. 2:16-cv-01245

14 Plaintiff,

15 v.

16 NEVADA PROPERTY 1, LLC dba THE
17 COSMOPOLITAN OF LAS VEGAS;
18 EMPLOYEE(S)/AGENT(S) DOES 1-10
19 and ROE CORPORATIONS 11-20,
20 inclusive,

**STIPULATION FOR EXCEPTION FROM
ATTENDANCE REQUIREMENT AT EARLY
NEUTRAL EVALUATION**

(First Request)

21 Defendant.

22 IT IS HEREBY STIPULATED by and between the parties, through their respective
23 counsel of record, that the insurance representative for Defendant Nevada Property 1, LLC
24 dba The Cosmopolitan of Las Vegas ("The Cosmopolitan") be excused from physically
25 attending the Early Neutral Evaluation ("ENE") session, currently scheduled for July 29,
26 2016. Should the Court require, The Cosmopolitan's insurance carrier representative can be
27 available by telephone.

28 The request for exception is based on the fact that although Defendant is insured with
AIG, Defendant has a substantial self-insured retention that is approximately \$100,000 more
than the Plaintiff's estimated damages. As such, any resolution of this matter at the ENE will
be funded by The Cosmopolitan. In addition, the representative for AIG is located out of state

1 and would be required to incur significant time and expense to travel to the ENE when the
2 settlement value of this case is well within the amount of Defendant's self-insured retention.
3 The insurance representative's absence will not adversely affect the ENE, and those present
4 will have the appropriate settlement authority to reach a reasonable resolution at the ENE.

5 Based on the foregoing, the parties request that The Cosmopolitan's insurance
6 representative be excused from in-person attendance at the ENE, currently scheduled for
7 July 29, 2016, at 10:00 a.m. .
8

9 Dated this 14th day of July, 2016.
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11

12 /s/ Lisa A. McClane
13 Lisa A. McClane
14 Kristofer D. Leavitt
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18 *Attorneys for Defendant*

12 /s/ Jeffrey Gronich
13 Jeffrey Gronich
14 1810 E. Sahara Ave., Suite 109
15 Las Vegas, NV 89104

16 *Attorney for Plaintiff*

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19 **ORDER**

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21 IT IS SO ORDERED 7-14, 2016.
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24 
25 U.S. District/Magistrate Judge
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